Government of Kerala
1974

Reg. No. K. 107.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XIX] Trivandrum, Friday, 17th May 1974 / 27th Vaisakha 1896 [No. 427

I

NOTIFICATION

UNDER SECTION 13 OF KERALA SURVEY AND BOUNDARIES ACT, 1961

6th May 1974.

No. C-23/74.

1. It is hereby notified under Section 13 of the Kerala Survey and Boundaries Act, 1961 (Act 37 of 1961) that the survey of the undermentioned areas is now complete.

2. Unless the survey hereby notified is modified by a decree of a Civil Court under the provisions of Section 14 of the said Act, the records of the survey shall be conclusive proof that the boundaries determined and recorded therein have been correctly determined and recorded.

Particulars of the area

District—Palghat. Taluk—Palghat.

Village—Malampuzha-II. Amsom—Kottekkad.

Field Nos. completed.

Sy. No.	*Sub Division Nos.*	*Extent in Hectares*
59	1	1.6713
	2	0.2590
	3	0.8700
	4	0.2312
	5	0.0081

33/1692/MC.

Sy. No.	*Sub Division. Nos.*	*Extent in Hectares*
	6	0.1295
	7	2.7844
	8	0.0197
105	1	2.7782
	2	0.0166
	3	0.1049
	4	0.0060

II

NOTIFICATION

UNDER SECTION 6(1) OF THE KERALA SURVEY AND BOUNDARIES ACT, 1961

A. 30/74. *7th May 1974.*

Whereas the Government have directed the Survey of lands comprised in survey numbers noted below Pudussery west village, Palghat Taluk, it is hereby notified under sub-section (1) of section 6 of the Kerala Survey and Boundaries Act, 1961 that survey operation will be started in the village soon and survey numbers of the above said village noted below will be demarcated and surveyed, and that every person claiming to be interested in the registered lands situated within or adjoining the undermentioned lands is hereby invited to attend immediately either in person or by agent on the surveyor employed in the locality and also from time to time when called upon for the purpose of pointing out the boundaries and supplying information in connection therewith.

Under sub-section (2) of section 6 of the said Act, this notification shall be held to be a valid notice to every person having any interest in the said lands.

Under sub-section (3) of section 6 of the above said Act, all the registered holders are hereby required.

(a) to clear within 15 days by cutting down or removing any trees, jungle, fences, standing crops or other materials obstructions the boundaries or other lines the clearance of which may be necessary for the purposes of survey, and

(b) to provide labour at such time and for such periods as may from time to time be required by furnishing flag holders and chainmen; and

(c) to provide suitable survey marks and otherwise to give such assistance in the survey as may be demanded under the said Act, or the rules made thereunder.

If any person fails to comply with these requisitions under clauses (a) to (c) mentioned above, the work will be got done by employing hired labour and the cost thereof will be recovered from the defaulters as provided in the Act and rules made thereunder.

Details of Land

District—Palghat. Taluk—Palghat.

Village—No-116, Pudussery West.

Survey No. 579/1 to 10.

V. P. GOVINDANKUTTY NAIR,
Special Tahsildar for L. A.,
(Railways).

Palghat.

144696

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EXTRAORDINARY

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GOVERNMENT OF KERALA

Public Works (Transport C) Department

NOTIFICATION

No. G.O.(P) 69/74/PW. *Dated, Trivandrum, 17th May* 1974.

Read :—1. G.O. (P) 31/74/PW. dated 7-3-1974.
2. G.O.Rt. 2344/74/PD. dated 9-5-1974.

S.R.O.No. 349/74.—In supersession of the notification issued under Government Order read as first paper above and published in the Gazette Extraordinary No. 259 dated 7-3-1974 as S.R.O. No. 171/74, and in exercise of the powers conferred by sub-section (2) of section 44 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) the Government of Kerala hereby appoint the First Member Board of Revenue as Chairman State Transport Authority and Ex-officio Transport Commissioner.

By order of the Governor,
T. S. Ramakrishnan,
Joint Secretary.

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GOVERNMENT OF KERALA

Revenue (N) Department

NOTIFICATION

No. 73170/N1/72/RD. *Dated, Trivandrum, 13th May 1974.*

S. R. O. No. **350/74**.—In exercise of the powers conferred by section 129 of the K. L. R. Act, 1963 (1 of 1964), the Government of Kerala hereby make the following amendments to the Kerala Land Reforms (Tenancy) Rules, 1970, published as S. R. O. No. 3/70 in the Kerala Gazette Extraordinary No. 3 dated the 1st January, 1970, as subsequently amended, namely:—

AMENDMENTS

In the said rules,—

(1) for rule 67, the following rule shall be substituted, namely:—

"67. *Government to give notice to the holders of encumbrances to receive payment.*—On receipt of the copy of the order or, as the case may be, copies of the order and statement referred to in sub rule (5) of rule 66 from the Land Board, the Government shall enter the same in a register in Form No. 32, and thereafter issue notice to the holders of encumbrances, if any, directing them to receive payment of the amounts due to them within such time as may be specified in the notice or within such further time as may be allowed by the Government."

(2) in rule 68,—

(a) sub-rule (1) shall be omitted;

(b) for sub-rule (2), the following sub-rule shall be substituted, namely:—

"(2) After making the payments to the persons concerned towards satisfaction of the encumbrances, the Government shall issue an annuity payment order in favour of the institution in form No. 34";

(3) Form No. 33 shall be omitted.

By order of the Governor,

C. P. Nair,

Additional Secretary to Government.

Explanatory Note

(This is not part of the Notification but is intended to make the purpose of the Notification clear).

Rules 64 and 65 of the K. L. R. (Tenancy) Rules, 1970 deal with the, procedure for enquiry by Land Tribunal for vesting the rights of religious, charitable and educational institutions in Government, and determination of annuity. Rule 64 contemplates the issue and publication of a notice by the Land Tribunal in the Notice board of the Village Office of the Village in which the holding is situated calling upon persons if any interested in the subject matter of the enquiry specified in the notice to appear before the Land Tribunal on the date specified in the notice and prefer claims and objections, if any. The notice has to be published in the office of the Land Tribunal and Taluk Office also. The Land Tribunal has also to serve a copy of such notice on each of the persons whose names appear in the report in Form No. 29 and in the application. Under rule 67 on receipt of the copy of the final order, Government have to issue a notification and a copy of this is to be served on the persons and the institutions concerned, in addition to publication in the Gazette. So, the only difference from the earlier notification is that the subsequent notification is published in the Gazette also. In view of the earlier notification published by the Land Tribunal it may not be necessary to publish the final decision again, giving an opportunity to the interested parties to prefer claims if any. It is also relevant that since compensation for vesting is paid as annuity, claimants if any who come to know of the decision to pay annuity on the vesting of the rights of religious, charitable and educational institutions can still take steps to claim their encumbrances from the annuity by moving a Civil Court. So rules 67 and 68 has to be suitably amended dropping the procedure mentioned therein, for publication of the notification inviting claims if any. Rules 67 and 68 were prescribed when annuity was to be sanctioned under section 66. This provision has subsequently been amended by the introduction of section 72 (N) of the Act according to which no notification is necessary. After all the provision to dispense with the issue of notification was included to expedite implementation. This notification amending the rules 67 and 68 is published in order to remove any doubt that the procedure for publication of final notification again has to be followed.

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Government of Kerala
1974

Reg. No. K. 127

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GOVERNMENT OF KERALA

Home (SS) Department

NOTIFICATION

No. 23636/SS4/74/Home. *Dated, Trivandrum, 15th May 1974.*

In exercise of the powers conferred by Section 3 of the Commissions of Inquiry Act, 1952 (Central Act LX of 1952), the Government of Kerala hereby make the following amendment to the notification issued under G.O. Rt. No. 672/73/Home dated the 9th May, 1973 of the Home (SS) Department and published in the Kerala Gazette Extraordinary No. 402 dated the 9th May, 1973, as subsequently amended, namely:—

AMENDMENT

In the said notification, as subsequently amended, for the words and figures "The Commission should complete the enquiry and submit its report to the Government by 9th May, 1974", the following shall be substituted, namely:—

"The Commission should complete the enquiry and submit its report to the Government by 9th August, 1974".

By order of the Governor,
S. NARAYANASWAMY,
Special Secretary to Government.

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